

No. 9568

IN THE

United States Circuit Court of Appeals
For the Ninth Circuit ^{2d}

GUISEPPE MAITA,

Appellant,

vs.

EDW. L. HAFF, District Director of Immigration and Naturalization for the district of San Francisco, California,

Appellee.

APPELLANT'S REPLY BRIEF.

CHAUNCEY TRAMUTOLO,

Alexander Building, San Francisco,

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FILED

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PAUL D. SPANOS,

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May it please the Court:

The appellee's brief endeavors to dismiss the case of *Nagle v. Eizaguirre*, 9 Cir., 41 Fed. (2d) 735, by stating it is not in point and not analogous. The case is not only in point; on the facts it is weaker than the case at bar.

In the *Eizaguirre* case, the order of deportation was based not upon a mere admission by the alien alone; the admission was corroborated by another witness. But notwithstanding that, this court held that the admission even though corroborated was not sufficient to sustain the order of deportation.

In the case at bar the order of deportation rests upon a repudiated uncorroborated admission exacted in circumstances more unfair and unreliable than those in which Eizaguirre found himself.

It is respectfully submitted that *Nagle v. Eizaguirre* is squarely controlling and that the order should be reversed.

Dated, San Francisco,
October 2, 1940.

Respectfully,
CHAUNCEY TRAMUTOLO,
Attorney for Appellant.

